

E-filed 9/19/06

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MEMRY CORPORATION,

Plaintiff,

v.

KENTUCKY OIL TECHNOLOGY, N.V.,
PETER BESSELINK, MEMORY METALS
HOLLAND, B.V.,

Defendants.

Case No. C04-03843 RMW (HRL)

**ORDER SUSTAINING
SCHLUMBERGER'S ASSERTIONS OF
PRIVILEGE**

Re: Docket No. 166

KENTUCKY OIL TECHNOLOGY, N.V.,

Counterclaimant,

v.

MEMRY CORPORATION and
SCHLUMBERGER TECHNOLOGY
CORPORATION,

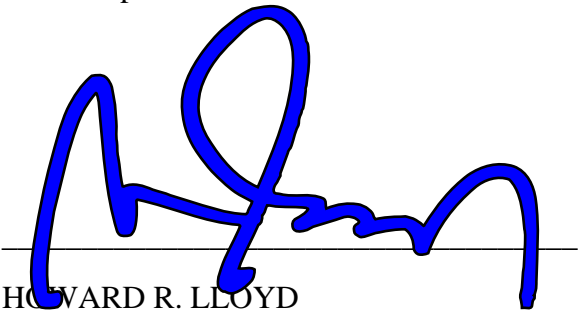
Counterdefendants.

The court has completed its *in camera* review of two Schlumberger Technology Corporation (STC) documents withheld on grounds of attorney-client privilege. The court finds that the redacted portions of pages ST 041949 to ST 041961 and ST 038463 to ST 038465 incorporate legal advice from attorney to client, and therefore constitute privileged

communications. STC need not produce the redacted portions to defendants/counterclaimants.

IT IS SO ORDERED.

Dated: 9/19/06



HOWARD R. LLOYD

UNITED STATES MAGISTRATE JUDGE

1 THIS SHALL CERTIFY THAT A COPY OF THIS ORDER WILL BE SENT TO:

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5 * Counsel are responsible for providing copies of this order to co-counsel.
6

7 Dated: 9/19/06

/s/ JMM

8 Chambers of Magistrate Judge Lloyd
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